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CLERK US DISTRICT COURT
DISTRICT OF NEVADA

DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMMANOUIL VARAGIANNIS
(aka Manny Varagiannis),

Defendant.

2:12-CR-439-PMP-(PAL)

FINAL ORDER OF FORFEITURE

On April 9, 2014, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2) and Title 26, United States Code, Section 7301(a) based upon the plea of guilty by defendant EMMANOUIL VARAGIANNIS (aka Manny Varagiannis) to the criminal offense, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and shown by the United States to have the requisite nexus to the offense to which defendant EMMANOUIL VARAGIANNIS (aka Manny Varagiannis) pled guilty. Superseding Criminal Information, ECF No. 37; Plea Agreement, ECF No. 39; Preliminary Order of Forfeiture, ECF No. 40; Change of Plea, ECF No. 42.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from April 17, 2014, through May 16, 2014, notifying all potential third parties; and notified known

1 third parties by personal service or by regular mail and certified mail return receipt requested, of their
2 right to petition the Court. Notice of Filing Proof of Publication, ECF No. 50.

3 Michele F. Shafe, Clark County Assessor was personally served with the Notice and
4 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
5 Service of Process, ECF No. 47, p. 2-12.

6 Steven B. Wolfson, Clark County District Attorney was personally served with the Notice and
7 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
8 Service of Process, ECF No. 47, p. 13-23.

9 Debbie Conway, Clark County Recorder was personally served with the Notice and
10 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
11 Service of Process, ECF No. 47, p. 24-34.

12 Laura B. Fitzpatrick, Clark County Treasurer was personally served with the Notice and
13 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
14 Service of Process, ECF No. 47, p. 35-45.

15 Diana Alba, Clark County Clerk was personally served with the Notice and Preliminary Order
16 of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing Service of Process,
17 ECF No. 47, p. 46-56.

18 Diana, Alba, Clark County Clerk, Clark County Board of Commissioners was personally
19 served with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
20 Service. Notice of Filing Service of Process, ECF No. 47, p. 57-67.

21 Diana Alba, Clark County Clerk, Clark County Water Reclamation District was personally
22 served with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
23 Service. Notice of Filing Service of Process, ECF No. 47, p. 68-78.

24 Larry Brown, Chairman, Clark County Water Reclamation District was personally served
25 with the Notice and Preliminary Order of Forfeiture on May 1, 2014, by the Internal Revenue Service.
26 Notice of Filing Service of Process, ECF No. 47-1, p. 1-11.

1 John Entsminger, General Manager, Southern Nevada Water Authority was personally served
2 with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
3 Service. Notice of Filing Service of Process, ECF No. 47-1, p. 12-22.

4 Gregory J. Walch, General Counsel, Southern Nevada Water Authority was personally served
5 with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
6 Service. Notice of Filing Service of Process, ECF No. 47-1, p. 23-33.

7 John Entsminger, General Manager, Las Vegas Valley Water District was personally served
8 with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
9 Service. Notice of Filing Service of Process, ECF No. 47-1, p. 34-44.

10 Mary Beth Scow, President, Las Vegas Valley Water District was personally served with the
11 Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service.
12 Notice of Filing Service of Process, ECF No. 47-1, p. 45-55.

13 Gregory J. Walch, General Counsel, Las Vegas Valley Water District was personally served
14 with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue
15 Service. Notice of Filing Service of Process, ECF No. 47-1, p. 56-66.

16 Bradford Jerbic, City Attorney, City of Las Vegas was personally served with the Notice and
17 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
18 Service of Process, ECF No. 47-1, p. 67-77.

19 Beverly Bridges, City Clerk, City of Las Vegas was personally served with the Notice and
20 Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing
21 Service of Process, ECF No. 47-2, p. 1-11.

22 Beverly Bridges, City Clerk, City of Las Vegas Sewer was personally served with the Notice
23 and Preliminary Order of Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of
24 Filing Service of Process, ECF No. 47-2, p. 12-22.

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1 Marquis Aurbach Coffing P.C., Registered Agent, Basch Construction Company LLC was
2 personally served with the Notice and Preliminary Order of Forfeiture on April 30, 2014, by the
3 Internal Revenue Service. Notice of Filing Service of Process, ECF No. 47-2, p. 23-33.

4 Mark A. Baraga, Manager, Basch Construction Company LLC was personally served with the
5 Notice and Preliminary Order of Forfeiture on May 1, 2014, by the Internal Revenue Service. Notice
6 of Filing Service of Process, ECF No. 47-2, p. 34-44.

7 Donald A. Schlei, Manager, Basch Construction Company LLC was personally served with
8 the Notice and Preliminary Order of Forfeiture on May 1, 2014, by the Internal Revenue Service.
9 Notice of Filing Service of Process, ECF No. 47-2, p. 45-55.

10 The Corporation Trust Company of Nevada, Registered Agent for Republic Silver State
11 Disposal, Inc. was served via regular and certified mail with the Notice and Preliminary Order of
12 Forfeiture on April 29, 2014, by the Internal Revenue Service. Notice of Filing Service of Process,
13 ECF No. 47-2, p. 56-67.

14 Jeff D. Andrews, President, Republic Silver State Disposal, Inc. was served via regular and
15 certified mail with the Notice and Preliminary Order of Forfeiture on April 29, 2014, by the Internal
16 Revenue Service. Notice of Filing Service of Process, ECF No. 47-2, p. 68-79.

17 Sandy Nicklin Behar, Registered Agent for Redrock Park Homeowner's Association was
18 personally served with the Notice and Preliminary Order of Forfeiture on May 1, 2014, by the Internal
19 Revenue Service. Notice of Filing Service of Process, ECF No. 47-3, p. 1-11.

20 Rick Gowdy, President, Redrock Park Homeowner's Association was personally served with
21 the Notice and Preliminary Order of Forfeiture on May 1, 2014, by the Internal Revenue Service.
22 Notice of Filing Service of Process, ECF No. 47-3, p. 12-22.

23 Internal Revenue Service was served via regular and certified mail with the Notice and
24 Preliminary Order of Forfeiture on April 30, 2014, by the Internal Revenue Service. Notice of Filing
25 Service of Process, ECF No. 47-3, p. 23-34.

26 ...

1 A Settlement Agreement for Entry of Order of Forfeiture as to Amy Varagiannis was entered
2 by the court on April 21, 2014 (ECF No. 44).

3 On June 18, 2014, a Verified Petition to Assert Legal Interest in Forfeited Property was filed
4 as to Laura Fitzpatrick (ECF No. 52).

5 On June 19, 2014, the Court entered an Order granting the Verified Petition to Assert Legal
6 Interest in Forfeited Property as to Laura Fitzpatrick (ECF No. 53).

7 On October 8, 2014, the United States filed a proposed Settlement Agreement for Entry of
8 Order of Forfeiture as to the Clark County Treasurer, and Order (ECF No. 61).

9 On October 9, 2014, the Court granted the Settlement Agreement for Entry of Order of
10 Forfeiture as to the Clark County Treasurer, and Order (ECF No. 63).

11 This Court finds no other petition was filed herein by or on behalf of any person or entity and
12 the time for filing such petitions and claims has expired.

13 This Court finds no petitions are pending with regard to the assets named herein and the time
14 for presenting such petitions has expired.

15 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
16 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
17 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
18 32.2(c)(2); Title 26, United States Code, Section 7301(a); and Title 21, United States Code, Section
19 853(n)(7) and shall be disposed of according to law:

20 1) \$143,268.97 in lieu of real property located at 6225 Bellota Drive, Las Vegas,
21 Nevada 89108, described as follows: Lot Seventeen (17) in Block One (1) of Sierra
22 Oeste, as shown by Map thereof on file in Book 31, of Plats, Page 18 in the Office
23 of the County Recorder of Clark County, Nevada.
24 APN: 138-23-710-017. The net sale proceeds of this property will be applied to taxes, penalties, and
25 interest owed by Emmanouil Varagiannis with the remainder, if any, to be forfeited to the United
26 States; and

1 2) Real property located at 2661 Red Rock Street, #101, Las Vegas, Nevada 89146,
2 described as follows:

3 Parcel I:

4 Unit A in Building 6 of Redrock Park Subdivision, a condominium subdivision
5 filed pursuant to the provisions of N.R.S. 117.020 recorded in Book 33 of Plats,
6 Page 19, in the Official Records of the County Recorder, Clark County, Nevada and
7 as defined in the that certain Declaration of Restrictions (Enabling Declaration
8 establishing a plan for condominium ownership of Redrock Park Subdivision)
9 recorded November 21, 1985 in Book 2220 of Official Records, Clark County,
10 Nevada, as Document No. 2179985.

11 Parcel II:

12 An undivided 1/28 interest in and to the common area shown as common area
13 Phase 2 upon the Plat of Redrock Park Subdivision filed pursuant to the provisions
14 of N.R.S. 117.020 recorded in Book 33 of Plats, Page 19, in the Official Records of
15 the County Recorder, Clark County, Nevada and as defined in that certain
16 Declaration of Restrictions (Enabling Declaration establishing a plan for
17 condominium ownership of Redrock Park Subdivision) recorded November 21,
18 1985 in Book 2220 of Official Records, Clark County, Nevada as Document No.
19 2179985.

20 Parcel III:

21 A non-exclusive easement for ingress and egress, public utilities and private streets
22 shown over Lot A (The Recreation Area) and common areas Phase One (1) and
23 Two (2) of the condominium project, as shown upon the Plat of Redrock Park
24 Subdivision filed pursuant to the provisions of N.R.S. 117.020 recorded in Book 33
25 of Plats, Page 19, in the Official Records of the County Recorder, Clark County,
26 Nevada and as defined in that certain Declaration of Restrictions (Enabling

1 Declaration establishing a plan for condominium ownership of Redrock Park
2 Subdivision) recorded November 21, 1985 in Book 2220 of Official Records, Clark
3 County, Nevada as Document No. 2179985.

4 Parcel IV:

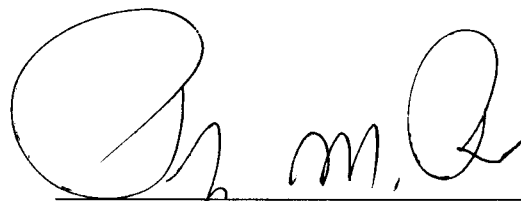
5 An exclusive easement to use that portion of the Common Area designated as
6 Parking Space No. 6-A, as shown upon the Plat of Redrock Park Subdivision filed
7 pursuant to the provisions of N.R.S. 117.020 recorded in Book 33 of Plats, Page 19,
8 in the Official Records of the County Recorder, Clark County, Nevada and as
9 defined in that certain Declaration of Restrictions (Enabling Declaration
10 establishing a plan for condominium ownership of Redrock Park Subdivision)
11 recorded November 21, 1985 in Book 2220 of Official Records, Clark County,
12 Nevada as Document No. 2179985.

13 APN: 163-12-110-021. The net sale proceeds of this property will be applied to taxes, penalties, and
14 interest owed by Emmanouil Varagiannis with the remainder, if any, to be forfeited to the United
15 States.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
17 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
18 income derived as a result of the United States of America's management of any property forfeited
19 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

20 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
21 certified copies to the United States Attorney's Office.

22 DATED this ^{4th} 5 day of January, 2015.

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26 UNITED STATES DISTRICT JUDGE